

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

Glass Dimensions, Inc. on behalf of the  
Glass Dimensions, Inc. Profit Sharing  
Plan and Trust, *and all others*  
*similarly situated,*

Plaintiffs,

v.

State Street Corporation, State Street  
Bank & Trust Co.,  
and State Street Global Advisors,

Defendants.

CIVIL ACTION NO: 1:10-CV-10588 (JLT)

**PLAINTIFF’S MOTION FOR LEAVE TO SUBMIT SUPPLEMENTAL AUTHORITY  
IN SUPPORT OF PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT AND IN  
OPPOSITION TO DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT**

Pursuant to Local Rule 7.1(b)(3), Plaintiff seeks leave of the Court to submit the attached Plaintiff’s Supplemental Authority In Support Of Plaintiff’s Motion For Summary Judgment And In Opposition To Defendants’ Motion For Summary Judgment, Exhibit 1 hereto. The recent authority addressed therein bears directly on key issues before this Court on the parties’ cross-motions for summary judgment, namely whether State Street Bank and Trust Company was free to collect a fee of 50% of securities lending income, no matter how unreasonable the amount of that fee, because it disclosed that it would take up to 50% of securities lending income. *See* Memorandum of Law in Support of Defendants’ Motion for Summary Judgment (“Defs’ Brf.”) [Dkt. 110], at 15-18, Defendants’ Memorandum Of Law In Opposition To Plaintiffs’ Motion For Summary Judgment (“Defs’ Opp.”) [Dkt 157] at 27-28.

Defendants’ counsel does not oppose the instant motion.

Dated: February 28, 2013

Respectfully submitted,

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**Certificate Of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF) and paper copies will be sent to those indicated as non-registered participants on February 28, 2013.

/s/ Gregory Y. Porter  
Gregory Y. Porter

**Rule 7.1 Certificate**

I hereby certify that I discussed the foregoing motion with counsel for Defendants and that Defendants do not oppose the relief requested in this motion.

/s/ Gregory Y. Porter  
Gregory Y. Porter